



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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MEMORANDUM

TO: James S. Reinhard, M.D.
Commissioner

FROM: Allyson K. Tysinger
Assistant Attorney General

DATE: September 21, 2005

SUBJECT: *Regulations for Providers of Mental Health, Mental Retardation and Substance Abuse Residential Services for Children*
12 VAC 35-45-10 *et seq.*

I have reviewed the proposed new section, 12 VAC 35-45-25, of the *Regulations for Providers of Mental Health, Mental Retardation and Substance Abuse Residential Services for Children*, 12 VAC 35-45-10 *et seq.*, that was adopted by the State Mental Health, Mental Retardation and Substance Abuse Services Board on September 7, 2005. The Board has the statutory authority to adopt this emergency Regulation under Va. Code § 37.1-10 and Chapter 363 of the 2005 Virginia Acts of Assembly. The proposed Regulation is constitutional and does not conflict with existing federal or state laws or regulations.